THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27003 of 2006

ORAL ORDER:

This writ petition is filed seeking a Mandamus to direct the respondents to make selection for the fair price shop dealership of Moolipadu village in accordance with the notification bearing No.2520 of 2002 dated 15.6.2005 by setting aside the proceedings in Rc.No.2520/02 dated 19.7.2005.

It seems, the impugned notification dated 15.6.2005 has been issued by the first respondent for filling up the vacancy of fair price shop dealer of Moolipadu village. It appears, petitioner and third respndent applied for the said vacancy along with others and the third respondent was selected and appointed as fair price shop dealer of Moolipadu village. Aggrieved by the same, petitioner carried the matter before the second respondent-Joint Collector and the same is pending. However, the stay petition filed along with the appeal was rejected. Aggrieved by the said rejection order, petitioner filed revision before the District Collector, Srikakulam district and the said revision was dismissed. Hence the writ petition.

I am of the opinion that granting or rejecting stay is purely a discretionary power. In this case, the petitioner has challenged the appointment of third respondent, therefore, the Joint Collector refused to grant stay during the pendency of appeal. Likewise, the District Collector also rejected the revision filed against the interlocutory application.

In view of the facts and circumstances of the case, I deem it appropriate to direct the second respondent-Joint Collector to dispose of the appeal purported to have been filed by the petitioner against the appointment of third respondent as fair price shop dealer of Moolipadu

village, Mandasa mandal, Srikakulam district, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

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C.V.RAMULU, J

Date: 28.12.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27003 of 2006

28.12.2006

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.27003 of 2006

Date: 28th December, 2006

Between:

Bolla Jagadeeswari

.. Petitioner

And

The Revenue Divisional Officer,
Tekkali, Srikakulam district & others.

.. Respondents